

BEFORE THE  
POSTAL REGULATORY COMMISSION

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ANNUAL COMPLIANCE REVIEW, 2015

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: Docket No. ACR2015  
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UNITED PARCEL SERVICE, INC.'S FIRST MOTION FOR  
ACCESS

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United Parcel Service, Inc. ("UPS") respectfully submits this unopposed motion pursuant to Commission Rule 3001.21, 3007.40, and 3007.50, seeking access under protective conditions to a limited subset of non-public materials the United States Postal Service filed with the Commission on December 29, 2015, as part of the Postal Service's Annual Compliance Report ("ACR").<sup>1</sup> The requested materials are relevant to assessing whether the Postal Service complied in 2015 with the mandate of the Postal Accountability and Enhancement Act ("PAEA") that the Postal Service's competitive products pay their own costs, without subsidy from market dominant products. See 39 U.S.C. § 3633. The Postal Service does not oppose this motion.

UPS has previously requested, and the Commission approved, access to non-public Postal Service data in the ACR2014, RM2015-7, and the RM2016-2 dockets.<sup>2</sup> In

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<sup>1</sup> UPS is simultaneously filing a second motion for access to non-public library references that contain third-party information. To expedite the approval of access to those library references that do not contain third-party information, UPS is filing separate motions.

<sup>2</sup> The Commission originally granted access to selected non-public data for UPS's outside counsel and consultants in Dkt. No. ACR2014, Order No. 2321 (Jan. 15, 2015). That access was expanded to 10 additional counsel and consultants in Order No. 2326 (Jan. 16, 2015), narrowed in scope at UPS's request and extended for ninety days in Order No. 2436 (Apr. 13, 2015) ("Order 2436"), and extended for another ninety

Order 2756, the Commission granted UPS continued access during the pendency of the RM2016-2 docket to the non-public data to which the Commission had previously granted access in the ACR2014 and RM2015-7 dockets. Dkt. No. RM2016-2, Order 2756 (Oct. 15, 2015). UPS requests the same access, for the same outside counsel and consultants, to the following ACR2015 non-public library references:<sup>3</sup>

1. USPS-FY15-NP10 - FY 2015 Competitive Product Incremental and Group Specific Costs
2. USPS-FY15-NP11 - FY 2015 Nonpublic Cost and Revenue Analysis (NPCRA) Report
3. USPS-FY15-NP12 - FY 2015 Nonpublic Cost Segments and Components Report
4. USPS-FY15-NP15 - Parcel Select / Parcel Return Service (PRS) Mail Processing Cost Model
5. USPS-FY15-NP16 - Parcel Select / Parcel Return Service (PRS) Transportation Cost Model
6. USPS-FY15-NP17 - Parcel Select / Parcel Return Service (PRS) Cube-Weight Relationship Estimation
7. USPS-FY15-NP19 - FY 2015 Non-Operation Specific Piggyback Factors (Nonpublic Portion)
8. USPS-FY15-NP20 - FY 2015 Mail Processing Costs by Shape (Nonpublic Portion)

UPS's outside counsel and consultants will continue to abide by the terms of the protective conditions they have executed regarding this data. Among other things, these protective conditions ensure that the data will not be used for any business or commercial purpose.

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days in Order No. 2584 (July 15, 2015). In the City Carrier Street Time docket, the Commission granted access to non-public city carrier data for these same outside counsel and consultants. Dkt. No. RM2015-7, Order No. 2363 (Feb. 24, 2015); *see also* Order No. 2455 (Apr. 23, 2015) (granting UPS's motion for issuance of Commission Information Request and granting UPS's motion for access to the non-public information requested).

<sup>3</sup> Specifically, UPS requests this access during the pendency of the RM2016-2 docket, just as the Commission previously approved in Order 2756.

UPS conferred with the Postal Service regarding this request, and the Postal Service does not object to it.

Respectfully submitted,

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